

1                                   **STATE OF IOWA**  
2                                   **BOARD OF EDUCATIONAL EXAMINERS**  
3                                   **Grimes State Office Building – 400 East 14<sup>th</sup> Street**  
4                                   **Des Moines, Iowa 50319-0147**

5  
6                                   **Minutes**

7  
8                                   **May 16, 2003**

9  
10                                  Table of Contents

	<u>Page</u>
Motions	2
Meeting Called to Order	5
Licensee Discipline	6
Consent Agenda	7
Communication	7
Paraeducator Certificates – Addition of Library/Media Area of Concentration and Clarification of Renewal Requirements	9
Petition for Waiver	9
Presentations on Conference Attendance	10
K-12 Principal/Supervisor to Instructional Special Education Programs and Supervisor of Support for Special Education Programs	11
Superintendent/AEA administrator/AEA Director of Special Education	11
Adjournment	12

39  
40                                   **STATE OF IOWA**  
41                                   **BOARD OF EDUCATIONAL EXAMINERS**  
42                                   **Grimes State Office Building – 400 East 14<sup>th</sup> Street**  
43                                   **Des Moines, Iowa 50319-0147**

44  
45                                   **Motions**

46  
47                                   **May 16, 2003**  
48  
49

1 Anita Westerhaus moved, with a second by William Haigh, that the Board go  
2 into closed session for the purposes of discussing whether to initiate licensee  
3 disciplinary proceedings and discussing the decision to be rendered in a  
4 contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f).

5 **MOTION CARRIED UNANIMOUSLY.**

6  
7 Anita Westerhaus moved, with a second by William Haigh, that in **case number**  
8 **01-35**, Corning CSD vs. Robert Philip Davidson, the Board accept the proposed  
9 decision in all particulars and issue an Order adopting the proposed decision  
10 as the final decision of the Board. Roll call vote: Carter – no; Aboud – yes;  
11 Wellborn – yes; Chen – yes; Westerhaus – yes; Paulsen – yes; Haigh – yes; and  
12 Hathaway – yes. **MOTION CARRIED.**

13  
14 William Haigh moved, with a second by Anita Westerhaus, that in **case number**  
15 **02-31**, the Board find probable cause to establish a violation of one or more of  
16 the criteria for professional practices and competent performance established  
17 by this Board and order this case set for hearing. Roll call vote: Haigh – yes;  
18 Paulsen – yes; Westerhaus – yes; Chen – yes; Wellborn – yes; Aboud – yes;  
19 Carter – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

20  
21 Anita Westerhaus moved, with a second by William Haigh, that in **case number**  
22 **03-01**, the Board find that, although one or more of the allegations in the  
23 complaint may be substantiated by the witnesses interviewed in the course of  
24 the investigation and/or the documents gathered in the course of the  
25 investigation, and the allegations may constitute a technical violation of the  
26 Board's statute or administrative rules; the evidence before the Board indicates  
27 that adequate steps have been taken to remedy the violation and to ensure that  
28 incidents of a similar nature do not occur in the future. Taking into account  
29 these circumstances, and the Board's mission to act upon those complaints  
30 which involve a threat to the health and safety of students and the public, the  
31 Board will not pursue formal disciplinary action in this matter. Roll call vote:  
32 Carter – yes; Aboud – yes; Wellborn – yes; Chen – yes; Westerhaus – yes;  
33 Paulsen – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED**  
34 **UNANIMOUSLY.**

35  
36 William Haigh moved, with a second by Anita Westerhaus, that in **case number**  
37 **03-03**, the Board find probable cause to establish a violation of one or more of  
38 the criteria for professional practices and competent performance established  
39 by this Board and order this case set for hearing. Roll call vote: Haigh – yes;  
40 Paulsen – yes; Westerhaus – yes; Chen – yes; Wellborn – yes; Aboud – yes;  
41 Carter – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

42  
43 Anita Westerhaus moved, with a second by William Haigh, that **case number**  
44 **02-31**, the Board extend the 180-day deadline for issuance of the final  
45 decision, based upon the need to obtain additional information for the  
46 investigative report and to conduct a hearing and receive the proposed  
47 decision. Roll call vote: Carter – yes; Aboud – yes; Wellborn – yes; Chen – yes;  
48 Westerhaus – yes; Paulsen – yes; Haigh – yes; and Hathaway – yes. **MOTION**  
49 **CARRIED UNANIMOUSLY.**

1 Referring to the April 11, 2003, minutes, John Aboud corrected a word choice  
2 on p. 9, line 22 by substituting "situation" for "problem," so that the sentence  
3 reads: Board Member John Aboud commented that the elimination of  
4 community college teacher licensure presented a situation for some high school  
5 teachers, who no longer will be authorized to teach college-level classes. Brian  
6 Carter moved, with a second by John Aboud, to approve the April 11, 2003,  
7 minutes, as amended. **MOTION CARRIED UNANIMOUSLY.**

8 John Aboud moved, with a second by Jacqueline Wellborn, that **in PFW 03-04**,  
9 Lisa Vander Woude, the Board grant the Petition for Waiver. Roll call vote:  
10 Haigh – yes; Paulsen – yes; Westerhaus – yes; Chen – yes; Wellborn – yes;  
11 Aboud – yes; Carter – yes; and Hathaway – yes. **MOTION CARRIED**  
12 **UNANIMOUSLY.**

13  
14 John Aboud moved, with a second by Anita Westerhaus, that the Board  
15 contract with SOLUTIONS, Inc., for assistance with public relations and  
16 communications services to enhance the public profile, visibility and mission of  
17 the Board of Educational Examiners. **MOTION CARRIED UNANIMOUSLY.**

18  
19  
20 **STATE OF IOWA**  
21 **BOARD OF EDUCATIONAL EXAMINERS**  
22 **Grimes State Office Building – 400 East Grand**  
23 **Des Moines, Iowa 50319-0147**

24  
25 **Minutes**  
26 **May 16, 2003**  
27

28 The Board of Educational Examiners held its monthly meeting on May 16,  
29 2003. The meeting was called to order by the Board Chair, Peter Hathaway, at  
30 8:35 a.m. Members attending were John Aboud, Brian Carter, Ying Ying Chen,  
31 William Haigh, Peter Hathaway, Thomas Paulsen, Jacqueline Wellborn and  
32 Anita Westerhaus. Also in attendance were Dr. Anne Kruse, Executive Director  
33 of the Board; Christie Scase, Assistant Attorney General and legal counsel to  
34 the Board; Barbara Hendrickson, Board Secretary; and other visitors. Board  
35 Members Judy Jeffrey, Jean Seeland and Veronica Stalker were unable to  
36 attend the meeting, as was Assistant Attorney General and legal counsel to the  
37 Board Jeanie Vaudt. Ms. Scase was absent from the afternoon session.

38  
39 Jacqueline Wellborn was re-appointed to the Board as of May 1, 2003,  
40 replacing Helen Lewis. Ms. Wellborn had completed an unexpired term two  
41 years ago. Member introductions were shared following information about the  
42 death of the husband of Board Member Veronica Stalker.

43  
44 Anita Westerhaus moved, with a second by William Haigh, that the Board go  
45 into closed session for the purposes of discussing whether to initiate licensee  
46 disciplinary proceedings and discussing the decision to be rendered in a  
47 contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f).  
48 **MOTION CARRIED UNANIMOUSLY.**

49  
50 The Board reconvened into open session at 9:45 a.m.

Board Chair Peter Hathaway first acknowledged the death of Dr. Stalker's husband and alerted attendees to visitation and funeral arrangements.

Anita Westerhaus moved, with a second by William Haigh, that in **case number 01-35**, Corning CSD vs. Robert Philip Davidson, the Board accept the proposed decision in all particulars and issue an Order adopting the proposed decision as the final decision of the Board. Roll call vote: Carter – no; Aboud – yes; Wellborn – yes; Chen – yes; Westerhaus – yes; Paulsen – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED.**

William Haigh moved, with a second by Anita Westerhaus, that in **case number 02-31**, the Board find probable cause to establish a violation of one or more of the criteria for professional practices and competent performance established by this Board and order this case set for hearing. Roll call vote: Haigh – yes; Paulsen – yes; Westerhaus – yes; Chen – yes; Wellborn – yes; Aboud – yes; Carter – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

Anita Westerhaus moved, with a second by William Haigh, that in **case number 03-01**, the Board find that, although one or more of the allegations in the complaint may be substantiated by the witnesses interviewed in the course of the investigation and/or the documents gathered in the course of the investigation, and the allegations may constitute a technical violation of the Board's statute or administrative rules, the evidence before the Board indicates that adequate steps have been taken to remedy the violation and to ensure that incidents of a similar nature do not occur in the future. Taking into account these circumstances, and the Board's mission to act upon those complaints which involve a threat to the health and safety of students and the public, the Board will not pursue formal disciplinary action in this matter. Roll call vote: Carter – yes; Aboud – yes; Wellborn – yes; Chen – yes; Westerhaus – yes; Paulsen – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

William Haigh moved, with a second by Anita Westerhaus, that in **case number 03-03**, the Board find probable cause to establish a violation of one or more of the criteria for professional practices and competent performance established by this Board and order this case set for hearing. Roll call vote: Haigh – yes; Paulsen – yes; Westerhaus – yes; Chen – yes; Wellborn – yes; Aboud – yes; Carter – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

Anita Westerhaus moved, with a second by William Haigh, that **case number 02-31**, the Board extend the 180-day deadline for issuance of the final decision, based upon the need to obtain additional information for the investigative report and to conduct a hearing and receive the proposed decision. Roll call vote: Carter – yes; Aboud – yes; Wellborn – yes; Chen – yes; Westerhaus – yes; Paulsen – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

Referring to the April 11, 2003, minutes, John Aboud corrected a word choice on p. 9, line 22 by substituting "situation" for "problem," so that the sentence

1 reads: Board Member John Aboud commented that the elimination of  
2 community college teacher licensure presented a situation for some high school  
3 teachers, who no longer will be authorized to teach college-level classes. Brian  
4 Carter moved, with a second by John Aboud, to approve the April 11, 2003,  
5 minutes, as amended. **MOTION CARRIED UNANIMOUSLY.**

6  
7 Board Chair Peter Hathaway welcomed and introduced newest board member  
8 Jacqueline Wellborn to public attendees of the meeting.

9  
10 Board Member Ying Ying Chen attended the Milken Award conference and gave  
11 brief details on a session she attended on a teacher mentoring partnership  
12 program between the University of Missouri and Missouri school districts.

13  
14 Board Member Anita Westerhaus mentioned to the Board a packet of  
15 information on ethics for educators that was before them. Members were to  
16 read the material in preparation for the June retreat. Executive Director  
17 Dr. Anne Kruse welcomed additional material from board members for  
18 consideration on the retreat.

19  
20 Board Chair Peter Hathaway asked if there were any public comments. There  
21 were none.

22  
23 Executive Director Dr. Anne Kruse highlighted a number of issues:

- 24  
25 1) Five administrative public hearings were held on noticed rules, following  
26 Dr. Kruse's appearance at administrative rules review committee  
27 hearings on them. Those rules will come before the Board at the next  
28 meeting to be adopted and filed.  
29 2) Personnel updates addressed an increased workload.  
30 3) Staff members are analyzing several states' websites, looking to  
31 implement good ideas for the Board's own site, which Licensure  
32 Consultant Gary Borlaug is timely and efficiently maintaining. Dr.  
33 Kruse welcomed additions, corrections and updates.  
34 4) Licensure Consultant Geri McMahon has been working with a reading  
35 task force to see how the reading endorsement should be modified, if  
36 necessary. Dr. Kruse asked the group to consider specifically if the  
37 reading endorsement makes a difference, such that the endorsement  
38 should be required of all elementary teachers.  
39 5) Staff is looking at the creation of an educational technology task force,  
40 with a focus on considering an educational technology endorsement.  
41 Distance learning has experienced phenomenal growth.  
42 6) Dr. Kruse presented summary statistics on sexual abuse complaints  
43 examined by the Board in the past four years.  
44 7) The Board was invited to submit requests for surveys and other  
45 information that they might want to see.  
46 8) The Board looked at House File 549 and Senate Amendment 3332,  
47 which contained Board of Educational Examiners and Department of  
48 Education items. Dr. Kruse made mention of a number of measures of  
49 interest to the Board. Board Member Anita Westerhaus asked about  
50 outright support for the portions of the bill that reference sexual

1 exploitation and school district mandatory reporting of release or  
2 resignation of contracted individuals for designated misconduct.  
3 Assistant Attorney General and legal counsel to the Board Christie Scase  
4 advised that contact with government leaders would not be  
5 inappropriate for board members as individual citizens.

6  
7 The Board recessed from 10:47 a.m. to 10:58 a.m.  
8

9 The Board next considered for notice proposed rules to add a School Library  
10 Media area of concentration to, and to clarify the renewal requirements for, the  
11 paraeducator certificate. Executive Director Dr. Anne Kruse told the Board  
12 that absent Board Member Judy Jeffrey wanted her to relay to the Board that  
13 Ms. Jeffrey was not sure the rules should be noticed at this time because she  
14 wanted a change in the section of the initial paraeducator core competencies  
15 (which section was not before the Board at this time) to include reading, writing  
16 and math. Ms. Jeffrey also expressed concern over use of the word  
17 “instructing” in item #2 in the list of possible credit units for renewal. A  
18 number of related points arose in discussion. Consensus followed Board  
19 Member William Haigh’s recommendation to return the proposed rules to the  
20 Board for notice when the issues and appropriate language have been worked  
21 out and finalized.  
22

23 Lisa Vander Woude sought to waive the requirement for completion of a  
24 secondary methods course prior to issuance of a secondary (7-12) multi-  
25 categorical resource endorsement. She holds a standard license with K-12 MD:  
26 Moderate/Severe/Profound endorsement, as well as a conditional license with  
27 the general elementary classroom endorsement and the secondary multi-  
28 categorical resource endorsement. For the past two years, she found course  
29 offerings limited to daytime classes in on-campus locations, which would  
30 impose an undue hardship of significant unpaid leave. She has three years of  
31 experience teaching special education and has completed the required  
32 secondary multi-categorical resource methods class. The Board believed that  
33 the required secondary methods course would not significantly enhance her  
34 ability to teach under the secondary multi-categorical endorsement. John  
35 Aboud moved, with a second by Jacqueline Wellborn, that **in PFW 03-04**, Lisa  
36 Vander Woude, the Board grant the Petition for Waiver. Roll call vote: Haigh –  
37 yes; Paulsen – yes; Westerhaus – yes; Chen – yes; Wellborn – yes; Aboud – yes;  
38 Carter – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**  
39

40 Licensure Consultant Jane Heinsen reported on her participation in the  
41 Council for Exceptional Children Annual Conference. She attended sessions  
42 on teacher education, professional standards, on-line coursework and re-  
43 authorization of the Individuals with Disabilities Education Act. She also  
44 presented information on the federal grant awarded to Board of Educational  
45 Examiners and Department of Education on the Multi-categorical Resource  
46 Regents Endorsement Initiative (MCR-REI), which is a stipend program  
47 formulated to attract more multi-categorical teachers.  
48

49 Licensure Consultant Susan Fischer attended the National Alternative  
50 Certification Annual Conference. She said most of the sessions dealt with the

1 change in alternative certification to on-line programs, due to time, space,  
2 accessibility, faculty expertise and cost. Presentations showed how much  
3 technology could be used to offer a variety of material in teacher education  
4 programs. Board Member Jacqueline Wellborn interjected that she had taken  
5 three on-line professional development courses from the University of Northern  
6 Iowa and found them to be phenomenally good.

7  
8 Executive Director Dr. Anne Kruse went to the Educational Testing Service  
9 Annual Client Meeting, as a result of Iowa's participation in the pilot program  
10 of the Praxis II test. She mentioned a significant variety of testing services  
11 offered by the company. She referenced remarks made by a federal official from  
12 the U.S. Department of Education, and she said the current political climate  
13 heavily favors alternative preparation, vouchers, testing, and testing-in-lieu-of-  
14 coursework.

15  
16 The Board recessed for lunch at 11:53 a.m. and reconvened at 12:39 p.m.

17  
18 Licensure Consultant Susan Fischer introduced Administrative Consultant  
19 Dennis Dykstra with the Bureau of Children, Family and Community Services  
20 of the Department of Education. He was there to represent special education  
21 interests and to answer any specific questions about the roles of a special  
22 education supervisor and a director of special education. Representatives of  
23 most of the teacher preparation institutions, as well as directors of special  
24 education, responded favorably to Ms. Fischer's inquiries regarding a K-12  
25 administrator endorsement that would include a special education supervisor.  
26 College officials said that current issues in special education administration  
27 were already addressed in coursework and that they concurred with planned  
28 field experiences in elementary and secondary school administration that  
29 included special education administration. The Board decided to leave any  
30 further proscriptions in the details of the required practicum to the  
31 recommending institutions. The Board will see this proposal next as a  
32 Notice of Intended Action.

33  
34 Ms. Fischer then approached the proposal for an endorsement that would  
35 include superintendent, AEA administrator and AEA director of special  
36 education. AEA administrators contacted did not like the requirement for  
37 in-depth knowledge of the listed powers and duties needed for the director of  
38 special education to be included, as well, for the AEA administrator position.  
39 On the other hand, the directors of special education need those same  
40 competencies to perform adequately in their role, and the directors of special  
41 education believed this knowledge would be beneficial to the AEA  
42 administrators and superintendents. The Board agreed that it appeared  
43 workable to combine the superintendent and AEA administrator into one  
44 endorsement and to exclude the AEA director of special education. The Board  
45 will view next time the two draft options based upon the results of the  
46 discussion.

47  
48 Executive Director Dr. Anne Kruse reviewed some details for the June board  
49 retreat. She also described the potential benefits of a workshop by a local  
50 consulting firm. John Aboud moved, with a second by Anita Westerhaus,

1 that the Board contract with SOLUTIONS, Inc., for assistance with public  
2 relations and communications services to enhance the public profile, visibility  
3 and mission of the Board of Educational Examiners. **MOTION CARRIED**  
4 **UNANIMOUSLY.**

5  
6 There being no further business, Board Chair Peter Hathaway adjourned the  
7 meeting at 1:55 p.m.